

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Raymond A. Levites (RL 0444)  
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Attorneys for Defendant Banner Promotions, Inc.

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NEW JERSEY SPORTS PRODUCTIONS,  
INC., d/b/a MAIN EVENTS,  
Plaintiff,

Civil Action No. 06 Civ. 1509

**STIPULATION AND  
ORDER**

-v.-

PANOS ELIADES, PANIX PROMOTIONS,  
LTD., PANIX OF THE U.S., INC., BANNER  
PROMOTIONS, INC., DON KING  
PRODUCTIONS, INC. AND JOHN DOES 1-5,  
Defendants.

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It appearing to the Court that this action involves the right to receive a portion of a judgment which is on appeal to the Supreme Court of Nevada, and it

Further appearing that if the judgment rendered by the lower Court is reversed this action is moot, and it

Further appearing that there is no way to accurately predict when the Supreme Court of Nevada may rule, and it

Further appearing that this stipulation will further the goals of efficiency and expediency for both the parties and the Court.

It is stipulated and agreed by and among New Jersey Sports Productions, Inc. d/b/a/ Main Events, Plaintiff, and Banner Promotions, Inc., and Don King Productions, Inc., Defendants, by and through their respective counsel, that the

above captioned lawsuit be and hereby is deemed withdrawn, and dismissed without prejudice on the terms set forth herein.

It is further stipulated and agreed that the running of the statute of limitations in respect of the causes of action in the instant complaint as to defendants party to this stipulation (“Complaint”) shall be and is tolled as of the date of dismissal of this case and for causes of actions previously pled, tolled as of when they were originally pled.

It is further stipulated and agreed that the tolling period shall end upon the earlier of (a) sixty (60) days subsequent to a final ruling by the Supreme Court of Nevada in the pending related matter *Panix Promotions, Ltd, a foreign corporation, and Banner Promotions, Inc., a Delaware corporation v. Don King Productions, Inc., a Delaware corporation* (The Supreme Court of the State of Nevada, Case No. 46688, District Court Case No. A 422631) or (b) the re-filing of the Complaint by plaintiff as contemplated herein.

It is further stipulated and agreed that the plaintiff may re-file the existing complaint as a new action against all defendants in the Southern District of New York upon the final disposition by the Nevada Supreme Court as set forth above or, upon a showing of special circumstances and subject to the further order of this Court. If the passage of time has rendered any earlier language moot or incorrect as of re-filing, then plaintiff may conform the new complaint to that extent. Should plaintiff wish to make any other changes plaintiff may, without prejudice to defendants’ rights to oppose the same, seek leave to amend.

It is further stipulated and agreed that if so filed, such Complaint shall be deemed to be a related case to *Panix Promotions, Ltd. et al. v. Lennox Lewis, et al.*, 2004 WL 421937 (S.D.N.Y.) and to the instant matter.

It is further stipulated and agreed that no party will contest jurisdiction of this Court.

It is further stipulated and agreed that this Stipulation and Order will neither enhance nor diminish any rights that any party may have in respect of levies previously served.

It is further stipulated and agreed that should this action be re-filed with a new complaint the parties agree with respect to discovery conducted in this action and with respect to any sworn statements filed that the same may be used as though the re-filed complaint were a continuation of this matter.

It is further stipulated and agreed that in the event of a re-filing of the Complaint any default entered in this case shall be deemed to have been entered in the refiled action, subject to the right of any party to request relief of this provision through motion.

It is further stipulated and agreed that counsel for Banner Promotions, Inc. and counsel for Don King Productions, Inc. agree to accept service on behalf of their respective clients should the complaint be re-filed and that Panos Eliades agrees to accept service both by registered and regular mail on behalf of himself and the Panix Parties.

Date: June 24, 2008

**LEVITES & ASSOCIATES, LLC**

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PANOS ELIADES  
PANOS ELIADES on behalf  
of himself and the Panix Parties  
Albany House  
18 Theydon Road  
London, England E99NZ  
PANOS ELIADES  
10th July 2008

SO ORDERED:

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USDJ